

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

SYLVESTER LOCKETT, :  
 :  
 Petitioner, :  
 :  
 vs. : CIVIL ACTION 08-00447-WS-B  
 :  
 LILLIAN WATSON-FOSTER, *et al.*, :  
 :  
 Respondents. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that this action be and is hereby **DISMISSED** without prejudice so that Petitioner may pursue unexhausted state remedies.

DONE this 16th day of July, 2009.

s/WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE